

REMARKS/ARGUMENTS

Claims 1-10, 13-16, and 18-23 are currently pending. Claims 1-3, 5-6, 8-10, 13-16, and 18-20 have been amended. Claims 11-12 and 17 have been canceled. Claims 21-23 have been added. No new matter has been added. Support for the amendment to the claims and support for the added claims may be found in the specification as originally filed at page 14, lines 15-20; page 16, line 27 to page 17 line 1; page 20, lines 10-12; and FIG. 8 among numerous other places.

For the Examiner's convenience, an unmarked claim set is attached hereto following page 10 of this amendment.

The Examiner has requested that Applicants provide a new title that is clearly indicative of the invention to which the claims are directed. The title has been amended to address the Examiner's concerns.

The disclosure at line 28 of page 11 is objected to for informal typographical issues. The paragraph containing line 28 of page 11 has been amended to address the objection.

The specification is objected to for failing to provided proper antecedent basis for the claims subject matter. Specifically claim 16 recites "initializing" of the event data. However, "initializing" is not properly defined in the specification. Claim 16 has been amended to address this objection. Specifically, claim 16 has been amended to recite, "programming a current date, a current time, a current device and/or a current channel in said electronic system." Support for this amendment may be found in the specification as originally filed at page 19, lines 19-22.

Claims 1-20 are provisionally rejected under nonstatutory double patenting over Applicants' copending U.S. Patent Application No. 09/804,620. Applicants defer response to the provisional nonstatutory double patenting rejection until the claims of the instant application are allowed so that determination may be made whether the rejection will stand.

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Darbee (U.S. Patent No. 6,130,726) in view of Saib et al. (U.S. Patent No. 6,505,346). Claim 1 has been amended to overcome this rejection.

As an initial matter Applicants note that Darbee discusses a remote control configured to obtain and store in memory, data indicative of the viewing habits of one or more users. The data stored may include a date stamp, a time stamp, and/or channel information. The remote control is configured to transfer the collected data to a personal computer or a set-top converter box that in turn transfers the data to a content provider or host system to collect tailored programming, advertising or the like. See Darbee at col. 10, lines 12-45. As the Darbee remote control is configured to transfer data to a personal computer and/or a set-top converter box, and is not configured to transfer data to the content provider or host system, the Darbee remote control is not "web enabled," and certainly is not configured to "upload said event data to a control station via a network connection," as recited in amended claim 1.

Saib fails to make up for this deficiency of Darbee. Specifically, Saib discusses a remote control having a PRGM key configured to adding favorite channels to a queue. Favorite channels stored in the queue may be reviewed by pressing an FC key. The user may direct their television to jump to the favorite channels stored in the queue. No however does Saib show or suggest a remote control that is configured to transfer the contents of the queue to a control station, and certainly does not show or suggest a remote control that is web enabled for transferring the contents of the queue to a control station. Therefore, Saib fails to make up for the deficiencies of Darbee. Therefore, Darbee and Saib, either alone or in combination, fail to render amended claim 1 obvious.

Independent claims 10 and 16 have been amended to include limitations similar to those of amended claim 1 distinguished from Darbee and Saib above. Therefore, for at least the same reasons that Darbee and Saib fail to render amended claim 1 obvious, Darbee and Saib also fail to render amended claims 10 and 16 obvious.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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